

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 718 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
2 to 5 No

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MANUBHAI KANTIBHAI PARMAR

Versus

STATE OF GUJARAT

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Appearance:

HL PATEL ADVOCATES for Petitioner  
Mr. L.R. Pujari, APP for Respondent No. 1

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 05/03/98

ORAL JUDGEMENT

1. Heard learned Advocate Mr.Ashim Pandya on behalf of learned Advocate Shri H.L. Patel, for the petitioner. Rule. Mr. L.R. Pujari waives service of rule. By consent of the parties, the application is finally heard.
2. The petitioner is arrested by Investigating Officer attached with Vallabhy Vidyanagar Police

Station, in respect to F.I.R. No. 139/97 for the offences made punishable under Sections 363, 366 and 114 of the Indian Penal Code. 114 of the Indian Penal Code.

3. The parties do not press for reasoned order.

4. Having regard to the facts and circumstances apparent from the record and the submission urged at the Bar the petition is allowed and petitioner is ordered to be released on Bail on executing a bond of Rs.5,000/- (Rupees five thousand only) and also furnishing two sureties for the like amount to the satisfaction of the lower court and subject to the conditions stated hereunder:

- (a) not take undue advantage of his liberty or misuse his liberty;
- (b) not act in a manner injurious to the interest of the prosecution;
- (c) maintain law and order;
- (d) not leave the local limits of District Kheda without the prior permission of the Sessions Judge at Kheda.
- (e) furnish the address of his residence at the time of execution of the bond and shall not change his residence without prior permission of this court;
- (f) not enter into the local limits of Village/Taluka/District without prior permission of this Court, but for attending the Court in connection with this case he will be free to enter the limits for a period to that extent necessary and will leave the limits thereafter soon after the matter is adjourned.

5. If breach of any of the above conditions is committed, the Sessions Judge at Rajkot will be free to issue warrant or take appropriate action in the matter.

Bail before the lower Court having jurisdiction to try the case.

Rule is made absolute. Direct service is permitted.

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p.n.nair